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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,360	07/11/2003	Noah Dan	07980001AA	1512
30743	7590	06/05/2006	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			ROCHE, TRENTON J	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/617,360	DAN ET AL.	
	Examiner	Art Unit	
	Trenton J. Roche	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20031008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to communications filed 11 July 2003.
2. Claims 1-10 have been examined.

Information Disclosure Statement

3. The Information Disclosure Statement filed 8 October 2003 has been considered by the Examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-10 rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,263,498 to Alcorn et al. (hereinafter "Alcorn").

Per claims 1 and 6:

Alcorn discloses:

- an incomplete application, constructed in an application language ("interconnected classes are organized to provide a structure that is the basis for creating a program..." in col. 8 lines 25-27)

- business process requirements applicable to said application in a specified enterprise environment (“business logic...” in col. 5 lines 66-67)
- a plurality of reusable service components constructed in said language for adaption to an enterprise area, said enterprise area including said specified enterprise environment (“reusable software components...” in col. 10 line 42)
- optionally, a vertical application pre-configuration constructed for adaption to said enterprise area from said reusable service components, and a framework for completing said incomplete application using said reusable service components, said optional vertical pre-configuration, and said language, responsive to said business process requirements (“Frameworks are predefined structures for objects, combinations of objects which form more extensive objects and eventually combinations which provide whole programs. Frameworks are employed in which predefined, interconnected classes are organized to provide a structure that is the basis for creating a program” in col. 8 lines 21-27. Further, “A client side builder environment...allows one to build an application by connecting various software components...” in col. 5 lines 36-38)
- a toolkit for using said language to build reusable service components from scratch (“implemented using the Java programming system...involve the definition, creation, use, and instruction of ‘objects’...” in col. 7 lines 6-9)
- wherein said computer application is maintained responsive to changes in said business process requirements by using said framework to complete said incomplete application using said reusable service components, said optional vertical pre-configuration, and said language responsive to said business process requirements revised to incorporate said changes (“Morphing and dipping are both used to modify a program to add or modify behavior of

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the object” in col. 9 lines 63-64. Further, “...two ways exist to modify the behavior of existing business logic using a business rule dip” in col. 12 lines 22-23) substantially as claimed.

Per claims 2 and 7:

Alcorn further discloses Java as claimed (“Java programming system...” in col. 7 lines 6-7)

Per claims 3 and 8:

Alcorn further discloses the reusable components being a session bean as claimed (“Dips are beans (reusable software components)...” in col. 10 lines 41-42)

Per claims 4 and 9:

Alcorn further discloses maintaining a legacy application as claimed (“allows for modification of legacy programs...” in col. 5 lines 12-13)

Per claims 5 and 10:

Alcorn further discloses service components shrink-wrapped in said vertical pre-configuration as claimed (“Dippable beans are beans...in which the bean is wrapped with an API...” in col. 10 lines 41-45)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trenton J. Roche whose telephone number is (571) 272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Trenton J Roche
Examiner
Art Unit 2193

TJR


KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100